

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

vs.

MAN KHAC NGUYEN

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NO. 3:15-CR-431-K

FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE


On November 16, 2016, the above-named Defendant, represented by counsel, appeared before the Magistrate Judge for a hearing to determine Mr. Nguyen's present competence to stand trial. Neither the Government or Defendant objected to the Psychiatric Report from the Bureau of Prisons dated August 12, 2016. The Court, having reviewed said Psychiatric Report from the B.O.P. accepts the report, and finds by a preponderance of the evidence that Mr. Nguyen is not suffering from a mental disease or defect that would render him mentally incompetent to understand the nature and consequences of the proceedings against him or to assist properly in his defense. In fact, the Court finds that Mr. Nguyen is able to understand the nature and extent of the proceedings against him and that he is able to assist properly in his defense. See. 18 U.S.C. Section 4241(d).

RECOMMENDATION

For the above-stated reasons it is recommended that the District Court adopt the findings

in the Psychiatric Report dated August 12, 2016 and find that Mr. Nguyen is competent to proceed to trial and that he understands the nature and consequences of the proceedings and is able to assist properly in his defense

SO RECOMMENDED, November 21, 2016.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE